

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, December 2, 2008, the following members were present:

Greg Jergeson, Chairman
Doug Mood, Vice Chairman
Robert H. Raney, Commissioner

Commissioner Brad Molnar was absent but left his proxy with Commissioner Mood.
Commissioner Ken Toole was absent but left his proxy with Commissioner Jergeson.

APPEARANCE
Scott Fabel, Utility Division

(431) In the matter of N2008.11.131: Citizens Telecommunications. On November 14, 2008, Citizens filed Advice Letter No. MT-08-08, New Bundled Service.

Commissioner Mood moved to APPROVE Citizens' Advice Letter No. MT-08-08 in Docket N2008.11.131. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE
Wayne Budt, Administrator
Transportation & Centralized Services Division

(432) In the matter of T-08.36.ST: On August 14, 2008 Harry C. Martz d/b/a Martz Garbage Service, Butte, Montana filed an application to transfer PSC No. 2523 to McGree Trucking, Inc., Butte, Montana.

Commissioner Raney moved to APPROVE the transfer as requested. Commissioner Mood seconded the motion, which passed unanimously.

(433) In the matter of the approval of Commission Minutes for the week of November 24, 2008.

Commissioner Mood moved to APPROVE the Commission Minutes for the week of November 24, 2008. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE
Jim Paine, Legal Division

(433) In the matter of the Commission's discussion of D2008.1.3: Qwest/Ronan/Hot Springs. Consideration of Qwest objections to Ronan/Hot Springs data requests and objection to Qwest's data requests by Ronan/Hot Springs.

MOTION 1: Commissioner Raney moved to APPROVE the draft order DENYING Qwest's objections to data requests. Commissioner Mood seconded the motion, which passed unanimously.

MOTION 2: Commissioner Mood moved to APPROVE the issue of the draft order DENYING in part and APPROVING in part Ronan's objections to data requests. Commissioner Raney seconded the motion, which passed unanimously.

APPEARANCE

Eric Dahlgren, Utility Division

(434) In the matter of the Commission's discussion of D2008.11.133: NorthWestern Energy's request for a special permit to the requirements of 49 CFR 192.481.

Commissioner Raney moved to APPROVE NorthWestern Energy's request for a special permit that modifies the requirements of 49 CFR 192.481(a) to allow atmospheric corrosion inspection intervals of at least once every four calendar years, but with intervals not exceeding 51 months and direct Commission staff to forward an order contained in a Notice of Commission Action approving the special permit with the staff recommended stipulations to PHMSA. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Al Brogan, Legal Division

(435) In the matter of the Commission's discussion of D2008.6.69: NorthWestern Energy's application for approval of its interest in Colstrip Unit 4 as an electricity supply resource under certain terms and conditions including certain treatment of net operation losses. Consider waiving 10-day period for deemed denial of Montana Consumer Counsel motion for reconsideration and consider establishing deadlines for responses and reply to the motion and to consider any other matter related to the motion for reconsideration.

Commissioner Raney moved to WAIVE the 10-day period in Administrative Rule 38.2.4806(5) for denial of Montana Consumer Counsel's Motion for Reconsideration, and establish a procedural schedule for response as December 2, 2008, and establish a deadline of 12:00 pm on December 8, 2008 for Montana Consumer Counsel's reply. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Brian DeKiep, Utility Division

(436) In the matter of the Commission's discussion of OMS comments to FERC regarding Midwest ISO module E filings and FERC Order 719 regarding competitive markets:

Commissioner Jergeson moved to APPROVE Montana's participation in three sets of comments to FERC in Docket ER 08-394. Commissioner Mood seconded the motion, which passed unanimously.

APPEARANCE

Kate Whitney, Administrator
Utility Division

(437) In the matter of the Commission's discussion of Out of State Travel:

Commissioner Raney moved to APPROVE travel for Brian Dekiep to attend the Northern Tier Transmission Group's Joint Committee meeting in Portland, OR on January 28, 2009. Commissioner Mood seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

GREG JERGESON, Chairman

DOUG MOOD, Vice Chairman

BRAD MOLNAR, Commissioner

ROBERT H. RANEY, Commissioner

KEN TOOLE, Commissioner

ATTEST:

Verna Stewart
Commission Secretary

(SEAL)